

SIERRA COUNTY BOARD OF SUPERVISORS'
AGENDA TRANSMITTAL & RECORD OF PROCEEDINGS

MEETING DATE: DEPARTMENT: PHONE NUMBER: REQUESTED BY:	TYPE OF AGENDA ITEM: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> REGULAR CONSENT TIMED </div> <hr/> SUPPORTIVE DOCUMENT ATTACHED: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> RESOLUTION MEMO </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> AGREEMENT OTHER _____ </div>
AGENDA ITEM:	
BACKGROUND INFORMATION:	
FUNDING SOURCE: GENERAL FUND IMPACT:	OTHER FUND: AMOUNT: \$
ARE ADDITIONAL PERSONNEL REQUIRED? <div style="display: flex; justify-content: space-around; margin-top: 5px;"> YES NO </div> TYPE OF EMPLOYEE	IS THIS ITEM ALLOCATED IN THE BUDGET? <div style="display: flex; justify-content: space-around; margin-top: 5px;"> YES NO </div> IS A BUDGET TRANSFER REQUIRED? <div style="display: flex; justify-content: space-around; margin-top: 5px;"> YES NO </div>
SPACE BELOW FOR CLERK'S USE	
BOARD ACTION: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> APPROVED APPROVED AS AMENDED </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> ADOPTED ADOPTED AS AMENDED </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> DENIED OTHER </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> NO ACTION TAKEN </div>	SET PUBLIC HEARING FOR: _____ DIRECTION TO: _____ REFERRED TO: _____ CONTINUED TO: _____ AUTHORIZATION GIVEN TO: _____
BOARD VOTE: _____ BY CONSENSUS AYES: ABSTAIN: NOES: ABSENT:	RESOLUTION 2023- _____ AGREEMENT 2023- _____ ORDINANCE _____
COMMENTS:	

CLERK OF THE BOARD

DATE

Memorandum

To: Sierra County Board of Supervisors
From: Lea Salas, Administrative Director
Reference: Agenda Item
Date of memo: February 15, 2023
Date of Board Meeting: March 7, 2023

Requested Action: Resolution approving the amended Behavioral Health Advisory Board By-Laws.

Mandated by: N/A

Funding

Budgeted? Yes ☒ No ☐

Revenue		
Expenses		
Difference		

Background Information: The Behavioral Health Advisory has updated its By-Laws to reflect changes made in the Welfare and Institutions code regarding Behavioral Health Advisory Board activities and membership. Welfare and Institution Code (WIC) Section 5604 language was updated to be more culturally relevant and include duties of the board pertinent to improving behavioral health services and decision making. The WIC also changed membership eligibility of Board members who are employees and spouses of the County as being able to participate so long as they abstain from voting on any contractual or financial issues before the Board.

Potential Issues to consider: N/A

Alternatives or Impacts of disapproval: N/A

BOARD OF SUPERVISORS, COUNTY OF SIERRA, STATE OF CALIFORNIA

RESOLUTION NO. _____

**RESOLUTION APPROVING THE AMENDED BEHAVIORAL HEALTH ADVISORY BOARD
BY-LAWS**

WHEREAS, the Behavioral Health Advisory Board met and voted to change the By-Laws to reflect the changes made in the Welfare and Institutions code regarding Behavioral Health Advisory Board activities and membership;

WHEREAS, Welfare and Institution Code (WIC) Section 5604 language was updated to be more culturally relevant and include duties of the board pertinent to improving behavioral health decision making;

WHEREAS, the WIC changed membership eligibility of Board members who are employees and spouses of the County as being able to participate so long as they abstain from voting in any contractual or financial issues before the Board.

NOW THEREFORE THE COUNTY OF SIERRA RESOLVES AS FOLLOWS: that the Sierra County Board of Supervisors hereby approves the attached amended by-laws.

ADOPTED by the Board of Supervisors of the County of Sierra, State of California on the 7th day of March, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

SHARON DRYDEN
Chair, Board of Supervisors

Date

ATTEST:

APPROVED AS TO FORM:

HEATHER FOSTER
Clerk of the Board

DAVID PRENTICE
County Counsel

Sierra County Behavioral Health Advisory Board By-Laws

February 21, 2023- Revision 2

Mental Health/Mental Health Services Act/Substance Use Disorder Services

P.O. Box 265

704 Mill Street Loyalton, California 96118

Phone: (530) 993-6746 Fax: (530) 993-6746

Contact: Laurie Marsh Phone: 530-993-6745 Email: lmash@sierracounty.ws

Mission Statement

The Sierra County Behavioral Health Advisory Board, in partnership with the Board of Supervisors, advocates for responsive services, within the Behavioral Health System, that are easily accessible, person and family centered, strength-based, recovery and wellness oriented, culturally proficient and cost effective. The Sierra County Behavioral Health Advisory Board provides the voice of informed perspectives on planning, policies and procedures that impact the recovery, resiliency and rights of the persons served, along with family members. The Sierra County Behavioral Health Advisory Board involves and educates the residents of Sierra County.

Expectations

The following, if agreed upon, shall be presented to the Sierra County Board of Supervisors as our understanding of the Behavioral Health Advisory Board's duties and responsibilities, and the expectations of both bodies. These expectations will allow a strong and positive relationship between the Sierra County Board of Supervisors and the Sierra County Behavioral Health Advisory Board.

The Sierra County Board of Supervisors shall expect the Behavioral Health Advisory Board to provide the following¹:

- Review and evaluate the community's public mental health needs, services, facilities, and special problems in any facility within the county or jurisdiction where mental health evaluations or services are being provided, including, but not limited to, schools, emergency departments, and psychiatric facilities.
- Review any county agreements entered into pursuant to Section 5650 of the Welfare and Institutions Code. Such examples are proposed annual county mental health services performance contracts for mental health services in the specific county. The local behavioral health board may make recommendations to the governing body regarding concerns identified within these agreements.
- Advise the governing body and the local Administrative and Clinical Behavioral Health Director as to specific aspects of the local behavioral health program. Local behavioral health boards may request assistance from the local patients' rights advocates when reviewing and advising on mental health evaluations or services provided in public facilities with limited access.
- Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process. Involvement shall include individuals with lived experience of mental illness and their families, community members, advocacy organizations, and mental health professionals. It shall also include other professionals that interact with individuals living with mental illnesses on a daily basis, such as education, emergency services, employment, health care, housing, law enforcement, local business owners, social services, seniors, transportation, and veterans.
- Submit an annual report to the governing body on the needs and performance of the county's behavioral health system.
- Review and make recommendations on applicants for the appointment of the local Administrative and Clinical Director of behavioral health services. The board shall be included in the selection process prior to the vote of the governing body.
- Review and comment on the county's performance outcome data and communicate its findings to the California Mental Health Planning Council.
- Serve as advisors to the Board of Supervisors about behavioral health matters, including provisions of services, contracting for services, or other matters necessary.

¹ Welfare and Institutions Code, Section 5604.2 (a) and (b)

- Assess the impact of the realignment of services from the state to the county, on services delivered to persons served and on the local community, as a whole.

Nothing in this part of the expectations shall be construed to limit the ability of the governing body to transfer additional duties or authority to a behavioral health board.

The Sierra County Behavioral Health Advisory Board shall expect the Board of Supervisors to provide the following:

- Recognition and support of the role of the Sierra County Behavioral Health Advisory Board as an instrument of the Board of Supervisors and the Board of Supervisors' larger constituency, the general public.
- Willingness to solicit recommendations, initiate consultation and to take into consideration the actions, resolutions or reports presented by the Behavioral Health Advisory Board.
- Prompt and careful attention to replacement of Behavioral Health Advisory Board members by appointment, after consultation regarding particular needs, as well as to the specific membership position to be filled.
- Appoint a member of Board of Supervisors to attend Behavioral Health Advisory Board meetings.

Expenses

Governing bodies are encouraged to provide a budget for the behavioral health advisory board, using planning and administrative revenues identified in the subdivision (c) of WIC Section 5892, that is sufficient to facilitate the purpose, duties, and responsibilities of the local mental health board.

By-Laws

Article 1. NAME

The name of this advisory board shall be the Sierra County Behavioral Health Advisory Board².

Article 2. PURPOSE

The local behavioral health advisory board shall develop by-laws to be approved by the governing body which shall³:

- Establish the specific number of members on the mental health board.
- Ensure that the composition of the behavioral health board represents and reflects the diversity and demographics of the county as a whole, to the extent feasible.

² Welfare and Institutions Code Section 5604 (3) (g)

³ Welfare and Institutions Code Section 5604.4 (a) to (e)

- Establish that a quorum be one person more than one-half of the appointed members.
- Establish that the chairperson of the behavioral health board be in consultation with the local Administrative and Clinical Behavioral Health Directors.
- Establish that there *may* be an executive committee of the behavioral health board.

Article 3. MEMBERSHIP

Advisory boards in counties with a population of less than 80,000 persons may have a minimum of five (5) members^{4 5}. The membership of this advisory board shall at all times be as provided in the Welfare and Institutions Code of the State of California.

The advisory board should reflect the cultural diversity of the client population in the county⁶. Counties are encouraged to appoint individuals who have experience and knowledge of the behavioral health system, as well.

One member of the advisory board shall be a member of the local governing body. In counties under 80,000 populations, at least one member shall be a consumer, and at least one member shall be a parent, spouse, sibling, or adult child of a consumer, who is receiving, or has received, mental health services⁷.

Mental health consumers and spouses can work for the County AND serve on the Behavioral Health Advisory Board, but must abstain from voting on any financial or contractual issue concerning the member's employment with the County that may come before the Board⁸.

Members shall be appointed by the Board of Supervisors by a majority vote⁹. The term of each member of the board shall be for three years. The governing body shall equitably stagger the appointments so that approximately one third of the appointments expire in each year¹⁰.

A board in a county with a population under 80,000 that elects to have the board exceed the five (5) member minimum permitted shall be required to comply with all the composition requirements of a full board of ten (10) to fifteen (15) members¹¹.

⁴ Welfare and Institutions Code Section 5604 (a) (1)

⁵ Board of Supervisors, County of Sierra, State of California Resolution Number 2011-056, adopted June 7th, 2011

⁶ Welfare and Institutions Code Section 5604 (a) (1)

⁷ Welfare and Institutions Code Section 5604 (a) (3) (a)

⁸ Welfare and Institutions Code Section 5604 (a) (3) (e) (1) and (2)

⁹ Sierra County Standard Form Bylaws April 2007

¹⁰ Welfare and Institutions Code Section 5604 (a) (3) (b)

¹¹ Welfare and Institutions Code Section 5604 (a) (3) (B)

Article 4. MEMBERSHIP SELECTION

In alignment with the established County policy/procedure regarding recruitment and appointment for board vacancies, any vacant seats on the Sierra County Behavioral Health Advisory Board shall be reported to the Sierra County Clerk-Recorder's Office in a timely manner. Vacancy of any seat on the advisory board shall be filled only by appointment by the Board of Supervisors. All attempts should be made to fill vacancies within thirty (30) days.

Article 5. CHAIRPERSON

At the first regular-or special- meeting held each calendar year, members of the advisory board shall elect a Chairperson who shall preside over the meetings¹².

The Chairperson shall be the principal executive officer and the official spokesperson of the Sierra County Behavioral Health Advisory Board. The Chairperson shall maintain contact with the Administrative and Clinical Behavioral Health Directors or the designated representative. The Chairperson shall also carry out all the policies of this board and maintain the integrity of the mission statement.

The newly elected Chairperson shall take the office at the first regular-or special- meeting and immediately call the meeting to order. They shall then proceed to administer the business of the Sierra County Behavioral Health Advisory Board in a manner consistent with the rules of the Board.

Article 6. MEETINGS

All Behavioral Health Advisory Board meetings shall be conducted in compliance with the provisions of the Brown Act (Government Code Sections 54950 et. seq.).

The Sierra County Behavioral Health Advisory Board shall adopt a monthly schedule for regular meetings to occur. Meetings shall occur a minimum of once a quarter should monthly meetings be cancelled due to a lack of quorum or business. The location of these meetings to be determined by the members of the board. The Sierra County Behavioral Health Advisory Board may also conduct business by way of special meetings¹³ according to business.

Pursuant to the Brown Act, regular meeting agendas must be posted within 72 hours prior to the scheduled meeting. The agenda must contain a brief general description of each item to be discussed or

¹² Sierra County Standard Form Bylaws April 2007

¹³ Sierra County Standard Form Bylaws April 2007

transacted at the meeting¹⁴. The description must inform interested members of the public about the subject matter under consideration so that they can determine whether to monitor or participate in the meeting¹⁵. As a general rule, the description need not exceed twenty (20) words in length¹⁶.

Per the Brown Act, special meeting notices must be received by all board members at least twenty four (24) hours in advance, along with posting the special meeting agenda¹⁷. Cancellation of meetings shall follow the same regulations as governed for special meeting notices.

Article 7. QUORUM

A majority of the members of the Sierra County Behavioral Health Advisory Board shall constitute a quorum for the transaction of business¹⁸. The number of members required to constitute a quorum for the Sierra County Behavioral Health Advisory Board is three (3).

Article 8. VOTING

A majority of the members shall be required to vote in the affirmative in order to approve any item of business. All business conducted shall require a motion for approval. Motions shall require a motion and a second before any vote is taken on any matter. A motion that does not receive a second shall fail without further discussion¹⁹.

Article 9. PUBLIC COMMENT

All meetings shall include an agenda item to allow comment by members of the public on matters within the subject matter jurisdiction of the advisory board. Public comment can be limited up to ten (10) minutes unless approved by the chair.

In addition to the public comment, members of the public shall have the right to address the advisory board on matters appearing on the agenda as part of the advisory board's consideration of the agenda item. The members of the advisory board can limit the amount of time for any member of the public to provide input on any agenda items up to five (5) minutes unless approved by the chair.

Article 10. ADJOURNMENT

¹⁴ Brown Act- GC 54954.2 (a)

¹⁵ Carlson v. Paradise Unified School District 1971

¹⁶ Brown Act- GC 54954.2

¹⁷ Brown Act- GC 54954.3 (a)

¹⁸ Welfare and Institutions Code 5604.4 (c)

¹⁹ Sierra County Standard Form Bylaws 2007

Any meeting of the Sierra County Behavioral Health Advisory Board may be adjourned to another time and place by the vote of a majority of the members present²¹.

Article 11. MEETING MINUTES

The Mental Health Services Act Coordinator or other alternate designee will take minutes from each Sierra County Behavioral Health Advisory Board meeting. Meeting minutes shall reflect any action taken during the meetings and shall be prepared promptly following each meeting. Approved minutes from the Sierra County Behavioral Health Advisory Board meetings shall be directed to the Sierra County Clerk-Recorder's Office. All Sierra County Behavioral Health Advisory Board meeting minutes, along with all Sierra County Behavioral Health Advisory Board agendas, shall be posted on the county's website for public review. The Sierra County website is sierracounty.ca.gov.

Article 12. ABSENCES

A member of the Sierra County Behavioral Health Advisory Board who is absent, whether it is excused or unexcused, from five (5) Board meetings in any twelve-month period shall be deemed to have automatically resigned from the Board. In such an event, the member's status will be noted at the next scheduled meeting and shall be recorded in the Board meeting minutes. The Mental Health Services Act Coordinator shall notify the Sierra County Clerk-Recorder's Office of the member's resignation and request the appointment of a replacement²².

²¹ Sierra County Standard Form Bylaws 2007

²² Sacramento County Mental Health Bylaws, Section 7

Article 13. AMENDMENTS

These By-Laws may be amended with the approval of the appointing authority- the Sierra County Board of Supervisors.

Article 14. EFFECTIVE DATE

These By-Laws shall become effective immediately upon their adoption by the Sierra County Board of Supervisors.